

## House Approves Consumer Product Safety Legislation

Washington, D.C. – The U.S. House of Representatives today approved the Conference Report on H.R. 4040 the “Consumer Product Safety Improvement Act” under suspension of the rules. House Conferees included Reps. John D. Dingell (D-MI), Joe Barton (R-TX), Bobby L. Rush (D-IL), Ed Whitfield (R-KY), Henry Waxman (D-CA), Diana DeGette (D-CO), Jan Schakowsky (D-IL) and Cliff Stearns (R-FL).

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“Momentous” Bill Raises Safety Standards for Toys; Increases Resources, Authority for CPSC

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“This conference report represents the most significant overhaul of U.S. consumer product safety laws since the creation of the Consumer Product Safety Commission,” said Dingell. “Together with our Senate colleagues we have developed a legislative agreement that consumer advocates are hailing as ‘momentous.’ I am proud to send this bill to the President and look forward to seeing it signed into law. I commend the Chairman of the Subcommittee, Mr. Rush, for his outstanding leadership. I also praise my dear friend, the ranking member of the full Committee, Mr. Barton.”

This legislation represents the most comprehensive overhaul of US consumer-product oversight in a generation and establishes policies to repair the Nation’s broken product safety system. The House passed H.R. 4040 without a dissenting vote in December of last year, and the Senate followed with its amendment in March of this year.

H.R. 4040:

Bans lead beyond a minute amount in products intended for children under 12 years of age.

Prohibits use of dangerous phthalates in children's toys and child care articles.

Bans 3-wheel all terrain vehicles (ATVs) and strengthens regulation of other ATVs, especially those intended for use by youth.

Mandates pre-market testing by certified laboratories of children's products for lead and for compliance with a wide range of safety standards.

Requires manufacturers to place distinguishing marks on products and packaging to aid in recalls of products.

Requires CPSC to provide consumers with a user-friendly database on deaths and serious injuries caused by consumer products.

Strengthens  
protections against import and export of dangerous products, prohibits the sale and export of recalled products, improves public notice for recalls, and enhances tools for removing recalled products from store shelves.

Ensures that CPSC effectively shares information with State public health agencies.

Bans  
industry-sponsored travel by CPSC Commissioners and staff, and authorizes a travel budget to address problems raised by the increasingly global market for consumer products.

Restores the five-Member Commission, authorizes significant budget increases, and provides expedited rulemaking.

Enhances national product safety enforcement by authorizing injunctive enforcement of Federal law by State Attorneys General, preserving State common law causes of action and California's Prop 65 warning requirements.

Provides whistleblower protections for private sector employees regarding alleged violations of any CPSC-enforced product safety requirements.

Prepared by the Committee on Energy and Commerce

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